

THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

DONNELL DEVON SMITH,

Plaintiff,

v.

JUSTIN JONES, et al.,

Respondents.

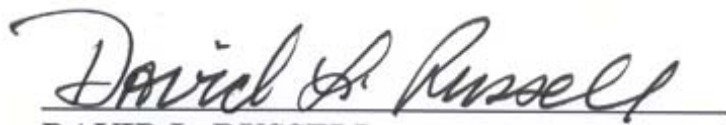
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CASE NO: CIV-12-754-R

ORDER

Petitioner filed this action seeking a writ of habeas corpus. Pursuant to 28 U.S.C. § 636(b)(1)(B), the matter was referred to United States Magistrate Judge Shon T. Erwin for preliminary review. On November 21, 2012, Judge Erwin entered an Report and Recommendation recommending that Plaintiff's motion for leave to proceed *in forma pauperis* be denied in light of Petitioner's financial resources. The record reflects Petitioner has not objected to the Report and Recommendation within the time limits prescribed. However, on December 12, 2012, the Court received a letter from Petitioner requesting additional time in which to pay his \$5.00 filing fee. Accordingly, Petitioner's application for proceed *in forma pauperis* is DENIED, and this action will be dismissed if Petitioner does not pay the filing fee of \$5.00 within thirty days of entry of this Order. Plaintiff's request for copies of his paper work is denied, as he has not specified which papers he seeks.

IT IS SO ORDERED this 14th day of December, 2012.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE